



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Anthony E. SEAMAN

Serial No.: 10/725,187

Examiner: SOOHOO, T.G.

Filed: December 01, 2003

Art Unit: 1723

For: AGITATORS FOR WAVE-MAKING OR MIXING  
AS FOR TANKS, AND PUMPS AND FILTERS

CERTIFICATE UNDER 37 CFR 1.8(a)  
I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS  
BEING DEPOSITED WITH THE UNITED STATES POSTAL  
SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE  
ADDRESSED TO THE COMMISSIONER FOR PATENTS, P.O.  
Box 1450, Alexandria, VA 22313-1450

ON 5-18-05  
Jonathan A. Bay  
REGISTRATION NO. 35064  
DATE 5-18-05

**TRANSMITTAL LETTER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Please find enclosed for filing:

- ☒ Response, 37 C.F.R. §§ 1.111, 1.115.;
- ☒ Applicant/Assignee claims small entity status under 37 C.F.R. §1.27.
- ☒ Terminal Disclaimer to Obviate a Double Patenting Rejection,  
37 CFR §1.321(b),(c) and MPEP §1490
- ☒ A check in the amount of \$ 65.00, for terminal disclaimer.
- ☒ Other: Return Postcard.

Respectfully submitted,

Date: 5-18-05

Jonathan A. Bay  
Jonathan A. Bay  
Registration No. 35,064  
Attorney at Law  
333 Park Central East, Suite 314  
Springfield, MO 65806  
(417) 873-9100

Docket No. 355-8



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**RESPONSE, 37 C.F.R. §§ 1.111, 1.115**

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Sir:

Responsive to the Official Action mailed April 27, 2005, this comprises a transmittal of  
a *Terminal Disclaimer to Obviate a Double Patenting Rejection*, as well as the required fee.

Claims 4-12 are pending. Claims 4-12 were alike rejected under the judicially-created  
doctrine of double patenting as unpatentable over commonly-invented, commonly-owned U.S.  
Patent Nos. 6,488,401 and 6,655,830, wherein this application is a serial continuation thereof.  
Applicant is pleased that the claims were considered to define over the prior art of record. As  
suggested in the Official Action, applicant pursues overcoming this rejection by submitting a  
*Terminal Disclaimer to Obviate a Double Patenting Rejection* (37 CFR §1.321(b), (c) and MPEP  
§1490), it being signed by applicant's legal representative in this matter (ie., the undersigned).  
Applicant respectfully requests consideration and approval of the submitted *Disclaimer*, and  
allowance of the claims.

Respectfully submitted,

Date: 5-18-05

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